



In the Matter of:

AAA STRIPING SERVICE CO.

ARB Case No. 99-073

**In re: Application of Wage Determination
Nos. MN960005 and MN960017 to Minnesota
Department of Transportation Contract No.
3608-0044/NH011(052)/S96241, T.H. 53,
St. Louis and Koochiching Counties,
Minnesota**

DATE: August 31, 1999

and

AAA STRIPING SERVICE CO.

ARB Case No. 99-074

**In re: Application of Wage Determination
No. MN960005 to Minnesota Department of
Transportation Contract No. 7318-0030/NH004-
2(061)/L96208, T.H. 71, Stearns County,
Minnesota**

and

AAA STRIPING SERVICE CO.

ARB Case No. 99-075

**In re: Application of Wage Determination
No. MN950005 to Minnesota Department of
Transportation Contract No. 1920-0029/STP
1996(144)/S96056, T.H. 3, Dakota County,
Minnesota**

and

AAA STRIPING SERVICE CO.

ARB Case No. 99-076

**In re: Application of Wage Determination
No. MN960005 to Minnesota Department of
Transportation Contract No. 62-630-42/STPF
6297(082)/C97025, Larpenteur Avenue,
Ramsey County, Minnesota**

and

AAA STRIPING SERVICE CO.

ARB Case No. 99-077

**In re: Application of Wage Determination
No. MN950005 to Minnesota Department of
Transportation Contract No. 164-235-09/
BRSTP-D-TEA6295(278)/I96011, Wabasha
Street Bridge, Dakota County, Minnesota**

and

AAA STRIPING SERVICE CO.

ARB Case No. 99-078

**In re: Application of Wage Determination
No. MN960047 to Minnesota Department of
Transportation Contract No. 4811-0062/
NH0181(081)/S97045, T.H. 169,
Mille Lacs County, Minnesota**

and

AAA STRIPING SERVICE CO.

ARB Case No. 99-079

**In re: Application of Wage Determination
No. MN960047 to Minnesota Department of
Transportation Contract No. 4812-0069/
NH018-1(079)/S96092, T.H. 169,
Mille Lacs County, Minnesota**

and

AAA STRIPING SERVICE CO.

ARB Case No. 99-080

**In re: Application of Wage Determination
No. MN960012 to Minnesota Department of
Transportation Contract No. 5501-0096/
AIP96-1-3-27-0084-12-96/74624,**

Rochester, Olmsted County, Minnesota

and

AAA STRIPING SERVICE CO.

ARB Case No. 99-081

**In re: Application of Wage Determination
No. MN950012 to Minnesota Department of
Transportation Contract No. 2313-0013/
STP056-1(069)/S95352, T.H. 63,
Fillmore County, Minnesota**

and

AAA STRIPING SERVICE CO.

ARB Case No. 99-082

**In re: Application of Wage Determination
No. MN960012 to Minnesota Department of
Transportation Contract No. 2514-0099/
NH003-3(139)/S97014, T.H. 61,
Goodhue County, Minnesota**

and

AAA STRIPING SERVICE CO.

ARB Case No. 99-083

**In re: Application of Wage Determination
No. MN970002 to Minnesota Department of
Transportation Contract No. 6404-0032/
STP-BRSTP6496(169)/S97082, T.H. 19,
Redwood and Renville Counties, Minnesota**

and

AAA STRIPING SERVICE CO.

ARB Case No. 99-084

**In re: Application of Wage Determination
Nos. MN970005 and MN970050 to Minnesota
Department of Transportation Contract No.
0208-0094/STPF029(118)/S97213, T.H. 65,
Anoka and Isanti Counties, Minnesota**

and

AAA STRIPING SERVICE CO.

ARB Case No. 99-085

**In re: Application of Wage Determination
No. MN950005 to Minnesota Department of
Transportation Contract No. 6917-0105/
DPI0128(002)/S95373, T.H. 53,
St. Louis County, Minnesota**

and

AAA STRIPING SERVICE CO.

ARB Case No. 99-086

**In re: Application of Wage Determination
No. MN950005 to Minnesota Department of
Transportation Contract No. 2724-0103/
IDF022-1(136)/S96070, T.H. 55,
Hennepin County, Minnesota**

and

AAA STRIPING SERVICE CO.

ARB Case No. 99-087

**In re: Application of Wage Determination
No. MN960005 to Minnesota Department of
Transportation Contract No. 7306-0084/
NH023-2(055)/S96207, T.H. 23 and
33rd Ave., Stearns County, Minnesota**

and

AAA STRIPING SERVICE CO.

ARB Case No. 99-088

**In re: Application of Wage Determination
No. MN960005 to Minnesota Department of
Transportation Contract No. 0209-0019/
BRNH003-3(129)/S96350, T.H. 169,
Anoka and Hennepin Counties, Minnesota**

REMAND ORDER

AAA Striping petitioned the Administrative Review Board, pursuant to 29 C.F.R. Part 7, to review sixteen ruling letters issued by the National Office Program Administrator of the Department of Labor's Wage and Hour Division pursuant to the Davis-Bacon Act, 40 U.S.C. §276a *et seq.* (1994). These letters denied AAA Striping's requests to add the classifications of "Striper" and "Striping Tender" to wage determinations applicable to sixteen contracts with the Minnesota Department of Transportation, using the Davis-Bacon conformance procedures at 29 C.F.R. §5.5(a)(1)(v).

The Administrator has moved the Board for an order remanding the matters to the Wage and Hour Division for reconsideration. The Administrator contends that AAA's submissions contain varied descriptions of the duties performed by the two classifications AAA has sought to add to the wage determinations. Because of these perceived discrepancies and the Wage and Hour Division's desire to review its position with regard to these conformance matters, the Administrator states that a remand is necessary. Upon remand, the Wage and Hour Division will request that AAA answer a number of questions and provide documentary evidence regarding the nature of the proposed classifications.

By letter dated August 23, 1999, AAA informed the Board that it did not oppose the Administrator's Motion for Remand. Accordingly, we **GRANT** the Administrator's Motion and remand the conformance rulings to the Wage and Hour Administrator for further review.

SO ORDERED.

PAUL GREENBERG

Chair

E. COOPER BROWN

Member

CYNTHIA L. ATTWOOD

Member